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EXAMINER

FADOK, MARK A

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 11/27/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/412,404

Applicant(s)

KAPLAN, JOSHUA D.

Examiner

Mark A Fadok

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 21-51 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 05 October 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-843)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. The examiner is in receipt of applicants Response to Office Action dated September 4, 2001 and provides the following response. The information disclosure was found to be acceptable. As of this date, the examiner has not received any supplemental information disclosure and therefore this action considers only that information disclosed prior to the first office action dated June 4, 2001. The following discussion does not include the Bigstar.com reference.

Claim Rejections - 35 USC § 112

2. Claim 24 and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The acronym RAID is not defined in the claim or the specification. For the purpose of this office action RAID is defined as a "Redundant Array of Inexpensive/Independent Disks".

Claim Rejections - 35 USC § 101

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claim 21-51 are rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of US Patent 5,963,916 in view of the fact it would have been obvious to substitute video for the parent claim of music.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 21-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,664,110, herein referred to as GREEN et al. as applied to claims 21-38 above, further in view of US 5,945,987 herein referred to as DUNN and US 6188428 herein referred to as KOZ et al..

7. In regards to Claim 21, GREEN et al. discloses enabling a remote user to preview a portion of a pre-recorded video product from a network web site (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not

specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.) containing pre-selected portions of different pre-recorded video products (See above), using a computer (**FIG 2**), a computer display (**FIG 2**) and a telecommunications link between the remote user's computer and the network web site (col. 5, lines 7-21), the method comprising the steps of:

a) using the remote user's computer to establish a telecommunications link to the network web site (col. 5, lines 7-21) wherein the network web site comprises (i) a central host server coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded video product upon request by a remote user (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.) and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded video products (GREEN et al teaches a central storage device

(FIG 2), but does not specifically state storing pre-recorded video products. DUNN teaches an SQL database **46** (col. 6, line 1-36). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of storing the previews as defined by DUNN, because the trailers will be viewed by many people and at different times and must be stored so that they will be readily available by the user);

b) transmitting user identification data from the remote user's computer to the central host server (col. 2, lines 1-8) thereby allowing the central host server to identify and track the user's progress through the network web site (col. 1, lines 48-67);

c) choosing at least one pre-selected portion of the pre-recorded video products from the central host server (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270** (FIG 14), but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.);

d) receiving the chosen pre-selected portion of the pre-recorded products (see c above);
and

e) interactively previewing the received chosen pre-selected portion of the pre-recorded video product (see c above).

8. In regards to Claim 22, GREEN et al. teaches a step of rating the chosen pre-selected portion of the pre-recorded video products (GREEN et al. teaches a user profile which is stored in DFTC **12** and collects information regarding the consumer. ("The DFTC **12** also provides advertising to the display **36** pertinent to the merchant being accessed and potentially according to the user profile." col. 5, lines 39-49). It would be obvious to a person of ordinary skill in the art to include the step of rating the product in GREEN et al., because GREEN et al. already has the means to have the customer rate products and could include this functionality, (which is well known in the art), to the users profile if that information was found to be useful).

9. In regards to Claim 23, blank teaches a central memory device comprises a plurality of compact disc-read only memory (CD-ROMs) (col. 4, lines 4-9).

10. In regards to Claim 24, GREEN et al. teaches wherein central memory device comprises a RAID array drive (GREEN et al teaches a central memory storage (FIG 2 Item 34, but does not specifically state the use of a RAID array drive. KOZ et al. teaches a random access data storage system subsystem **78** that includes a "Redundant Array of inexpensive Disks" (RAID (col. 8, lines 54-58). It would be obvious to a person of ordinary skill in the art to included a Raid array drive, because if one memory device were to be down the other could supplant it and provide uninterrupted data.).

11. In regards to Claim 25, GREEN et al. discloses a method for enabling a remote user to preview a portion of a pre-recorded video product from a network web site (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col.

13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.) containing pre-selected portions of different pre-recorded video products.

(GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.), using a computer (**FIG 2**), a computer display (**FIG 2**) and a telecommunications link between the remote user's computer and the network web site (col. 5, lines 7-21), the method comprising the steps of:

a) using the remote user's computer to establish a telecommunications link to the network web site (col. 5, lines 7-21) wherein the network web site comprises (i) a central host server coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded video product upon request by a remote user (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col.

13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.) and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded video products (GREEN et al teaches a central storage device **(FIG 2)**, but does not specifically state storing pre-recorded video products. DUNN teaches an SQL database **46** (col. 6, line 1-36). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of storing the previews as defined by DUNN, because the trailers will be viewed by many people and at different times and must be stored so that they will be readily available by the user);

b) transmitting user identification data from the remote user's computer to the central host server (col. 2, lines 1-8) thereby allowing the central host server to identify and track the user's progress through the network web site (col. 1, lines 48-67);

c) choosing at least one pre-selected portion of the pre-recorded video products (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a

person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.) wherein the portion of the pre-recorded product is identified by a product code (col. 1, lines 20-35);

d) receiving the chosen pre-selected portion of the pre-recorded video products (see c above); and

e) interactively previewing the received chosen pre-selected portion of the pre-recorded video product (see c above).

12. In regards to Claim 26, blank discloses a network web site for allowing a remote user to preview a pre-selected portion of a pre-recorded video product (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements 270 (FIG 14), but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailer (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.), using a computer (FIG 2), a computer display (FIG 2) and a telecommunications link between the remote user's computer and the network web site (col. 5, lines 7-21), the network web site comprising:

a) a central host server coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded video product upon request by the remote user (**FIG 2**);

b) a central storage device for storing pre-selected portions of a plurality of different pre-recorded video products (GREEN et al teaches a central storage device (**FIG 2**), but does not specifically state storing pre-recorded video products. DUNN teaches an SQL database **46** (col. 6, line 1-36). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of storing the previews as defined by DUNN, because the trailers will be viewed by many people and at different times and must be stored so that they will be readily available by the user), the central storage device coupled to the central host server (GREEN et al teaches a central storage device (**FIG 2**), but does not specifically state storing pre-recorded video products. DUNN teaches a Program and storage database **42** coupled to a Continuous Media Server **40** (**FIG 1**). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of coupling the database to the server as defined by DUNN, because the trailers need to be accessible to the server so that the trailer can be transmitted to the user); c) identification (ID) means for recognizing a user ID which specifically identifies the user to the central host server (col 1, lines 48-67); and d) control means for providing the user with interactive control over the preview of the pre-selected portion of the pre-recorded video products (Abstract and b above).

13. In regards to Claim 27, GREEN et al teaches wherein the portions of the plurality of different pre-selected pre-recorded video products are identified and called from the central storage device using unique product codes (col. 11 lines 20-45).

14. In regards to Claim 28, GREEN et al teaches a purchasing means for allowing the user to place an order for purchasing at least one video product (col. 5, 22-38).

15. In regards to Claim 29, GREEN et al teaches a listing means for providing the user with dynamic lists of the pre-selected portions of the plurality of different pre-recorded video products that have been previewed the most (col. 3, lines 39-64).

16. In regards to Claim 30, GREEN et al teaches a recording means for providing the user with a record of previous previews by the user (col. 3, lines 39-64).

17. In regards to Claim 31, GREEN et al teaches a ratings means for prompting the user for a rating of a particular one of the pre-selected portions of the plurality of different pre-recorded video products and storing the user's rating (GREEN et al teaches the collection of consumer profiles (col. 5, lines 39-44), but does not specifically state providing ratings. Ratings of movies or written works are well known in the art and can readily be found in newspapers of other media. Since GREEN et al has the means to collect information about a users preferences, it would be obvious to a person of ordinary skill in the art to include ratings, if GREEN et al should choose to do so.)

18. In regards to Claim 32, GREEN et al teaches a first market research means for correlating the user rating with the user ID, for compiling market research data (GREEN et al teaches the collection of consumer profiles (col. 5, lines 39-44), but does not specifically state compiling market research data. Market research is well known in the

art and is widely collected and sold to others. Since GREEN et al has the means to collect information about a users preferences, it would be obvious to a person of ordinary skill in the art to include compiling marketing data if GREEN et al should choose to do so.).

In regards to Claim 33, GREEN et al teaches a second market research means for correlating the user ID with all previews performed by the user, for compiling market research data (See discussion of Claim 32 above).

19. In regards to Claim 34, GREEN et al discloses a network web site for allowing a remote user to preview a pre-selected portion of a pre-recorded video product (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of video products (col. 13, lines 35-49) and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing a portion of a pre-recorded video product. DUNN teaches an interactive entertainment system that allows a viewer to browse trailers (e.g. pre-recorded portions of a video) at his or her own rate (Abstract). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of viewing trailers, because this could be used as a valuable advertisement tool in an effort to sell the video product.), using a computer (**FIG 2**), a computer display (**FIG 2**) and a telecommunications link between the remote user's computer and the network web site (col. 5, lines 7-21), the network web site comprising:

a) a central host server coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded video product upon request by a remote user (**FIG 2**);

b) a central storage device for storing pre-selected portions of a plurality of different pre-recorded video products GREEN et al teaches a central storage device (**FIG 2**), but does not specifically state storing pre-recorded video products. DUNN teaches an SQL database **46** (col. 6, line 1-36). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of storing the previews as defined by DUNN, because the trailers will be viewed by many people and at different times and must be stored so that they will be readily available by the user), the central storage device coupled to the central host server (GREEN et al teaches a central storage device (**FIG 2**), but does not specifically state storing pre-recorded video products. DUNN teaches a Program and storage database **42** coupled to a Continuous Media Server **40** (**FIG 1**). It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of coupling the database to the server as defined by DUNN, because the trailers need to be accessible to the server so that the trailer can be transmitted to the user;

c) identification (ID) means for recognizing a user ID which specifically identifies the user to the central host server (col. 1, lines 48-67);

d) control means for providing the user with interactive control over preview of the pre-selected portion of the pre-recorded video products (Abstract and b above); and

e) means coupled to the central host server for collecting demographic information regarding the user (col. 5, lines 25-35).

20. In regards to Claim 35, GREEN et al teaches a ratings means for prompting the user for a user rating of a particular one of the pre-selected portions of the plurality of different pre-recorded, video products and storing the rating (GREEN et al teaches the

collection of consumer profiles (col. 5, lines 39-44), but does not specifically state providing ratings. Ratings of movies and written works are well known in the art and can readily be found in newspapers of other media. Since GREEN et al has the means to collect information about a users preferences, it would be obvious to a person of ordinary skill in the art to include ratings, if GREEN et al should choose to do so.).

21. In regards to Claim 36, GREEN et al teaches a first market research means for correlating the user rating with the user ID, for compiling market research data (GREEN et al teaches the collection of consumer profiles (col. 5, lines 39-44), but does not specifically state compiling market research data. Market research is well known in the art and is widely collected and sold others. Since GREEN et al has the means to collect information about a users preferences, it would be obvious to a person of ordinary skill in the art to include compiling marketing data, if GREEN et al should choose to do so.).

22. In regards to Claim 37, GREEN et al teaches a second market research means for correlating the user ID with all previews performed by the user, for compiling market research data (see discussion of Claim 36 above).

23. In regards to Claim 38, GREEN et al teaches wherein the demographic information is selected from the group of information types consisting of age, sex, income, ethnicity, education level, marital status, hobbies, and occupation (see discussion of Claim 36 above).

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

24. Claim 39 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 5,638,443, herein referred to as STEFIK et al.. All elements in Claims 39 and 41 are taught by STEFIK et al..

Claim Rejections - 35 USC § 103

25. Claim 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,638,443 herein referred to as STEFIK et al. as applied to claim 42 above, and further in view of US 6,188,428 herein referred to as KOZ et al. and US Patent 6,664,110, herein referred to as GREEN et al.

26. In regards to Claim 40, STEFIK et al. teaches a step of rating the chosen portion of the written work (STEFIK et al. teaches identifying users but does not specifically state rating the chosen portion. GREEN et al. teaches ratings (See discussion of Claim 35 above). It would be obvious to a person of ordinary skill in the art to include the rating system in STEFIK et al., because the information can be assembled and sold for a profit.

27. In regards to Claim 42, blank teaches wherein central memory device comprises a RAID array drive (STEFIK et al teaches a central memory storage (**FIG 2 Item 34**, but does not specifically state the use of a RAID array drive. KOZ et al. teaches a random access data storage system subsystem **78** that includes a "Redundant Array of inexpensive Disks" (RAID (col. 8, lines 54-58). It would be obvious to a person of ordinary skill in the art to included in STEFIK et al a Raid array drive, because if one

memory device were to be down the other could supplant it and provide uninterrupted data).

Claim Rejections - 35 USC § 103

28. Claims 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,664,110, herein referred to as GREEN et al. as applied to claims 43-51 above, further in view of US 5,945,987 herein referred to as DUNN and US Patent 5,638,443, herein referred to as STEFIK et al. GREEN et al. teaches all the limitations cited in claims 43-51 except as noted below.

29. In regards to Claim 43, GREEN et al discloses a method for enabling a remote user to preview a portion of a written work from a network web site containing one or more different bodies of written work (GREEN et al teaches an internet link (col. 5, lines 7-21) the sale of products and the viewing of Display Advertisements **270 (FIG 14)**, but does not specifically state previewing different bodies of written work. STEFIK et al teaches a method of delivering written works in a secure fashion over the internet. It would be obvious to a person of ordinary skill in the art to include in GREEN et al the step of delivering written works, because this would provide another product for sale on GREEN et al's system.

30. In regards to Claim 44, GREEN et al discloses A network web site for allowing a remote user to preview a pre-selected portion of a written work (See discussion of Claim 43 above),

31. In regards to Claim 45, GREEN et al teaches wherein the portions of the plurality of different pre-selected written works are identified and called from the central storage device using unique product codes (See discussion of Claim 25 above).

32. In regards to Claim 49, GREEN et al teaches a ratings means for prompting the user for a rating of a particular one of the pre-selected portions of the plurality of different written works and storing the user's rating (GREEN et al teaches the collection of consumer profiles (col. 5, lines 39-44), but does not specifically state providing ratings. Ratings of movies and written works are well known in the art and can readily be found in newspapers of other media. Since GREEN et al has the means to collect information about a users preference, it would be obvious to a person of ordinary skill in the art to include ratings, if GREEN et al should choose to do so.).

33. In regards to Claim 50, GREEN et al teaches a first market research means for correlating the user rating with the user ID, for compiling market research data (GREEN et al teaches the collection of consumer profiles (col. 5, lines 39-44), but does not specifically state compiling market research data. Market research is well known in the art and is widely collected and sold others. Since GREEN et al has the means to collect information about a users preferences, it would be obvious to a person of ordinary skill in the art to include compiling marketing data, if GREEN et al should choose to do so.).

34. In regards to Claim 51, GREEN et al teaches a second market research means for correlating the user ID with all previews performed by the user, for compiling market research data (See discussion on Claim 50 above).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A Fadok whose telephone number is (703) 605-4252. The examiner can normally be reached on Monday to Friday 8:00 - 4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703) 308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mark Fadok
November 16, 2001



Mark A Fadok
Examiner
Art Unit 2165



WYNN COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100